

FILED

JUL - 9 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY AM DEPUTY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA.

UNITED STATES OF AMERICA,
PLAINTIFF,

v.

Carlos VARGAS Uriel
DEFENDANT,

Case No. 08 CR 1217-GT

MOTION FOR TIME REDUCTION BY

AN INMATE IN FEDERAL CUSTODY.

(28 U.S.C. 8 2255).

COMES NOW, The Defendant, Carlos VARGAS Uriel, in Pro-se, Respectfully requesting this Honorable Court, a time reduction on grounds of the following issues; Memorandum of Points and Authorities establish this motion factual basis.

1. Defendant is presently incarcerated at C.C.A./F.C.C. Florence, Arizona, 85232. And soon to be transferred to B.O.P..

2. Defendant plead guilty to Reentry to the U.S.

3. The defendant was sentenced to 16 months.

The defendant is seeking relief to the following;

POINTS AND AUTHORITIES

1. Equal rights Protection; I, VI, VII and XIV Amendments. A person should not be discriminated regardless of race, religion, color or nationality. etc.

2. A, U.S.A. citizen is entitled to 1 (one) year reduction of sentence through a drug program during his incarceration,

PETITION FOR COMMUTATION OF SENTENCE

Print or Type Legibly

Relief Sought. (Check one)

☒ Reduction of Prison Sentence Only

☐ Remission of Fine Only

☒ Reduction of Prison Sentence and remission of Fine.

☐ Other. _____

TO THE DISTRICT COURT FOR DISTRICT COURT OF ARIZONA.

TO THE PRESIDENT OF THE UNITED STATES:

Reg. No. 84366198 Confined in the FLORENCE CORRECTIONAL
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DETENTION CENTER. In seeking a commutation of sentence, states that he
was born on 5/15/76, and has Social Security No. _____

(If not a United States Citizen, indicate Country of Citizenship;

Michuacan Mexico, But Live in Tijuana Mexico

Petitioner was convicted on a Plea of 16 Months

in the United States District Court of SAN DIEGO CALIFORNIA Doc.No. 1

of the crime of; Illegal ENTRY

Involving the following circumstances; N/A

and was sentenced on 5/12/08 to imprisonment for 16
Months and/or pay a [] Fine [] restitution
of \$ N/A and/or probation for N/A 3 Years
[] fine [] restitution [] has [] has not been paid. the balance owed
is \$ N/A

Petitioner began the service of his time on 3-20-08, he will be
released from confinement on DECEMBER MAY 2009
and his application for parole was [] granted [] denied. One has not
been submitted, for the fact that illegal aliens do not qualify for parole
early release dates.

Complete the following paragraph.

Judgement was affirmed on 5-12-08. A petition for a Writ
of Certiorari [] was [] was not; sought from the Suprem Court. and
[] granted [] Denied on _____. Petitioner [] did
[] did not Challenge his conviction or sentence under 28 U.S.C. 2255.
(Provide citations to court opinions, if known. N/A)

Petitioner's criminal record, other than the instant offense, is as follows.

4 TIMES ARESTED & PRISONED IN FEDERAL CUSTODY
For Illegal ENTRY

Petitioner respectfully prays that he be granted clemency for the following
reasons. IM Really Sorry For the crime I did I will not

Case 3:08-cr-01217-GT Document 13 Filed 07/09/2008 Page 3 of 4
Return to the US NOWMORE For I have a family
IN Tijuana Mexico that Needs My Support & Depend
ON Me Both wife & kids I hope you consider this GOD Bless you

The statements contained herein are true to the best of my knowledge and belief, and I understand that any misstatements of material fact contained herein may subject me to criminal prosecution and/or casue adverse action on my petition for executive Clemency.

Respectfully Submitted this 1ST day of July 2008

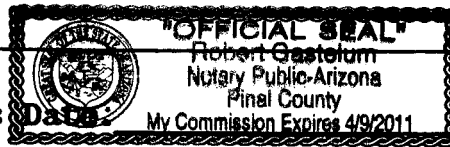
CARLOS VARGAS

Signature of Petitioner.

Subscribed and Sworn before me on this 1ST day of July 2008

Pulbic Notary; _____

Comm. Expires Date



JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

Carlos Vargas Uriel

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Carlos Vargas Uriel
PO Box 6900
Florence, AZ 85232
Reg #84366-198

DEFENDANTS

United States of America

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND

ATTORNEYS (IF KNOWN)

U.S. Attorney

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☒ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | PT | DEF | | PT | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY).

28 U.S.C. 2255

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> Marine <input type="checkbox"/> Miller Act <input type="checkbox"/> Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury-Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. <input type="checkbox"/> Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 890 Other Statutory Actions
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Eiectmant <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input checked="" type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights			

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER f.r.c.p. 23

DEMAND \$

Check YES only if demanded in complaint:

JURY DEMAND: ☐ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions): JUDGE

Docket Number

DATE 7/9/2008

SIGNATURE OF ATTORNEY OF RECORD

Rmuelch